

in fact, it contained no ingredients or medicinal agents effective to produce the effects claimed.

On February 1, 1924, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5 and costs.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12388. Adulteration of tomato catsup. U. S. v. 12 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16763. I. S. No. 1502-v. S. No. E-4135.)

On August 25, 1922, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 12 cases of tomato catsup remaining in the original unbroken packages at Providence, R. I., consigned by the S. J. Van Lill Co., Baltimore, Md., alleging that the article had been shipped from Baltimore, Md., on or about July 17, 1922, and transported from the State of Maryland into the State of Rhode Island, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Astoria Brand Tomato Catsup * * * S. J. Van Lill Co. Packers Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On May 23, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12389. Misbranding of Nervtone tablets. U. S. v. 10 Boxes of Nervtone Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16054. S. No. E-3783.)

On February 21, 1922, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 10 boxes of Nervtone tablets remaining in the original unbroken packages at Manville, R. I., consigned by A. F. Schambier, Manchester, N. H., alleging that the article had been shipped from Manchester, N. H., on or about June 18, 1921, and transported from the State of New Hampshire into the State of Rhode Island, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that Nervtone tablets no. 1 contained approximately 1/60 grain of mercuric chlorid, 1/120 grain of strychnine sulphate, 1/100 grain of arsenic trioxid, and 3 grains of iron sulphate each, together with aloes and cascara sagrada extract; and that Nervtone tablets no. 2 contained approximately 1/120 grain of strychnine sulphate, together with cascara and belladonna extracts and aloes.

Misbranding of the article was alleged in substance in the libel for the reason that the labels contained the following statements, (carton) "(English) Nervtone Tablets 100 No. 1 * * * Tablets 30 No. 2 For Liver or Kidney Troubles Recommended for Dyspepsia, Rheumatism, Indigestion, Nervous Trouble, Diminution of the ordinary vigor of the body and mind through overwork, mental worry and all female complaints * * * (French) Recommended for Dyspepsia, Rheumatism, Indigestion, Nervousness, Exhaustion through work, Loss of Sleep, Pains in the side or back, Exhausted Vitality resulting from any cause whatsoever, and all diseases peculiar to women * * * (English) Nervtone (No. 2) Tablets Useful in * * * Defective Elimination, Liver and Kidney Troubles * * * (French) * * * indispensable against * * * diseases of the liver and kidneys," (leaflet, English and French) "Nervtone Tablets No. 2 * * * for * * * Liver and Kidney troubles, Bilious Affections (les Systèmes Bilieux) and Digestive Disorder (la Mauvaise Digestion en général). * * * Serious diseases, such as dyspepsia, gall stones, appendicitis, etc., soon make their presence felt if the stomach and bowels do not work properly * * * for the speedy relief of * * * the worst forms of digestive troubles * * * relieve the stomach by doing a share of its work * * * Take also NERVTON TABLETS No. 1 for Indigestion, Nervousness, Rheumatism, etc.," which were false and

fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed. Further misbranding was alleged because the statement "No * * * dangerous drug" was false and misleading.

On May 23, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12390. Misbranding of Pratt's cow remedy. U. S. v. 2½ Dozen Packages of Pratt's Cow Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14847. S. No. E-3351.)

On May 4, 1921, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 2½ dozen packages of Pratt's cow remedy remaining in the original unbroken packages at Providence, R. I., consigned by the Pratt Food Co., Philadelphia, Pa., alleging that the article had been shipped from Philadelphia, Pa., on or about August 27, 1920, and transported from the State of Pennsylvania into the State of Rhode Island, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of salt, soda, Epsom salt, iron oxid, fenugreek, ginger, nux vomica, and gentian.

Misbranding of the article was alleged in the libel for the reason that the following statements appearing in the labels, (package) "Pratt's Cow Remedy is a tested remedy and preventive for Contagious abortion, Barrenness (Failure to Breed), Garget, Milk Fever, * * * For Barrenness * * * prevents retained afterbirth, * * * For Calves: For preventing or treating scours * * * Pratt's Cow Remedy will assist in rendering the bull's service more sure, particularly where contagious abortion has appeared in the herd * * * For Accidental Or Contagious Abortion * * * To Prevent: In herds where cows have previously aborted, or in neighborhoods where disease exists, * * * Contagious Abortion: * * * Retained Afterbirth * * * Pratt's Cow Remedy Is A Medicinal Specific for diseases of cows * * * preventive and remedy for cow troubles," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 23, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12391. Adulteration of canned salmon. U. S. v. 108 Cases and 7,614 Cases of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 17828, 17829. I. S. Nos. 8391-v, 8392-v, 8393-v, 8394-v, 8395-v, 11498-v. S. Nos. W-1420, W-1421.)

On September 19, 1923, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 7,722 cases of salmon remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Libby, McNeill & Libby from Koggien, Alaska, on or about August 12, 1923, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On June 11, 1924, Libby, McNeill & Libby, claimant, having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$10,250, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of this department, the bad portion destroyed, and the good portion released.

HOWARD M. GORE, *Acting Secretary of Agriculture.*